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発送番号:070460 発送日:平成17年 3月 1日

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## 拒絶理由通知書



特許出願の番号

特願2003-041441✓

起案日

平成17年 2月21日

特許庁審査官

吉川 陽吾

9811 2V00

特許出願人代理人

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適用条文

第29条第2項

この出願は、次の理由によって拒絶をすべきものである。これについて意見があれば、この通知書の発送の日から60日以内に意見書を提出して下さい。

## 理 由

この出願の下記の請求項に係る発明は、その出願前日本国内又は外国において頒布された下記の刊行物に記載された発明又は電気通信回線を通じて公衆に利用可能となった発明に基いて、その出願前にその発明の属する技術の分野における通常の知識を有する者が容易に発明をすることができたものであるから、特許法第29条第2項の規定により特許を受けることができない。

記 (引用文献等については引用文献等一覽参照)

請求項1-23

引用文献等: 1-3

引用例1及び2にはそれぞれ、沈胴状態において、一部の光学要素を光軸直交方向に退避させ、該退避によって生じる空間に他の光学要素を後退させることにより、沈胴時のレンズ長を短くしたレンズ鏡筒が記載されている(引用例1【0023】、引用例2【0015】参照)。

退避した光学要素が沈胴に伴って他の部材と干渉しないよう、退避した光学要素も後退させることは、当業者が適宜行う設計的事項と認める(例えば、引用例1では、退避される光学要素(リレーレンズ系)は、光軸直交方向に退避した後はその部材とも干渉しないので後退はしないが、本願発明のように、シャッター部材等と干渉する構成であれば、沈胴させるそもそもの主旨からしても、退避される光学要素を後退させる構成とするのは、当業者であれば適宜なし得る事項であると思われる)。

その他、退避する光学要素の数や退避方向、どの光学要素を退避させるか等は、当業者が適宜選択するものと認める。

また、引用例3には、インナーコンバータレンズではあるが、広角撮影時には

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他の光学系と同一の光軸上に位置し、沈胴状態では光軸直交方向に退避し、かつ、後退する構成が記載されており、当該構成とも実質的な差異がない。

### 引用文献等一覧

1. 特開2000-023002号公報 } P5569 P5570
2. 特開平06-308592号公報 } と同じ314頁
3. 特開平07-199019号公報 P5570と同じ

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### 先行技術文献調査結果の記録

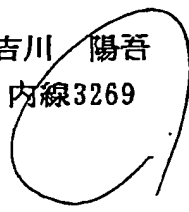
・調査した分野      I P C 第 7 版  
                         G 0 3 B 1 7 / 0 4

・先行技術文献

特開平05-313226号  
特開平07-295050号  
特開平09-005849号  
特開昭61-133933号  
特開2003-114473号

この拒絶理由通知の内容に関するお問い合わせ、または面接のご希望がございましたら下記までご連絡下さい。

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TEL. 03(3581)1101 内線3269



**Notification of Reason of Rejection**

Patent Application: JP2003-041441

Date of Drafting the Reason of Rejection: February 21, 2005

Patent Attorney: Kunio Miura (and another)

Article of Patent Law Applied: Subsection (2) of Section 29

This application is to be rejected due to the following reasons.  
If the applicant is against the rejections, the applicant is requested to submit a response within 60 days from the sending date of this Official Action.

**Reason**

The inventions with respect to claims mentioned below cannot be patented under Subsection (2) of Section 29 of Patent Law, since the inventions thereof were easily devised by those who are skilled in the same art based on an invention(s) described in the following published documents or based on an invention(s) available through the electric telecommunication lines.

**Remarks**

(refer to List of the Cited References with respect to the cited references)

Claims 1 to 23

Cited References: 1 through 3

In the Cited References 1 and 2, the lens barrel with the following features has been disclosed:

In a retracted state, the lens barrel is arranged to shorten the overall length thereof in a manner that a portion of optical elements is moved away (evacuated) in a direction perpendicular to the optical axis, and that another optical element is positioned in a space (on the optical axis) formed by evacuating the portion of the optical elements away from the optical axis. In this regard, refer to paragraph [0023] of Cited Reference 1 and paragraph [0015] of Cited Reference 2).

Moving the evacuated optical element itself backward so as not to

interfere with other optical element during a retracting movement of the lens barrel is a design choice which would have been considered by those who are skilled in the same art. For example, in the Cited Reference 1, an optical element (a relay lens system) to be evacuated in a direction perpendicular to the optical axis is arranged not to move backward along the optical axis after being evacuated from the optical axis, since the evacuated optical element does not at all interfere with any other optical element. On the other hand, according to the structure of the present (claimed) invention in which the optical element to be evacuated from the optical axis interferes with a shutter member, etc., considering the nature of the retracting operation of a lens barrel, those who are skilled in the same art can easily come up with an idea to further move the evacuated optical element backward along the optical axis. Accordingly, such backward movement of the evacuated optical element would be a design choice which would have been considered by those who are skilled in the same art.

Furthermore, (i) the number of optical elements to be evacuated from the optical axis, (ii) the direction along which an optical element(s) is evacuated, and (iii) which optical element is to be evacuated, are optionally selected by those who are skilled in the same art according to design requirements (conditions).

Still further, the Cited Reference 3 is directed to an inner-converter lens element; however, the inner-converter lens element is aligned with other optical elements along the optical axis when the lens system is at the short focal length extremity; and in the retracted state, the inner-converter lens element is evacuated from the optical axis and is moved backward along the optical axis. There is no substantial difference between the present (claimed) invention and the Cited Reference 3.

#### List of the Cited References

JP2000-023002

JP-Hei-06-308592

JP-Hei-07-199019

**Records of Searched Prior Art Documents**

The Field of Art Searched the 7<sup>th</sup> version of IPC

G03B17/04

Prior Art Documents

JP-Hei-05-313226

JP-Hei-07-295050

JP-Hei-09-005849

JP-Sho-61-133933

JP2003-114473

Should the applicant have any questions on this Official Action, or,  
wish to have an interview with the Examiner, please contact the following:

First Division of Patent Examination Division.

Optical Devices

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